

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

TANYA D. GREEN

§

v.

§

CIVIL ACTION NO. 6:12cv765

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION

§

ORDER OF DISMISSAL

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that the Commissioner's Motion to Dismiss and Incorporated Supporting Memorandum, construed as a Motion for Summary Judgment (docket entry #10), be granted and that this lawsuit be dismissed without prejudice to re-filing if Plaintiff can successfully renew her argument and appeal within the Social Security Administration. No written objections have been filed. The findings and conclusions of the Magistrate Judge are therefore adopted as those of the Court.

In light of the foregoing, it is

**ORDERED** that the Commissioner's Motion to Dismiss and Incorporated Supporting Memorandum, construed as a Motion for Summary Judgment (docket entry #10), is hereby **GRANTED** and this lawsuit is hereby **DISMISSED** without prejudice. Any motion not previously ruled on is **DENIED**.

**So ORDERED and SIGNED this 1st day of February, 2013.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE